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9 *Attorneys for Defendants SMART Technologies Inc.,*  
10 *David A. Martin, Nancy L. Knowlton, G.A. Fitch,*  
*Salim Nathoo, Arvind Sodhani, and Apax Partners*

11 [Counsel for Additional Parties  
12 Listed on Signature Page]

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 OAKLAND DIVISION

16 THOMAS E. HARPER and DIANE KEENE, ) Case No. 11 CV 5232 (SBA)  
17 Individually and On Behalf of All Others )  
18 Similarly Situated, ) Assigned to: Hon. Saundra Brown Armstrong  
Plaintiffs, )  
vs. )  
SMART TECHNOLOGIES, INC., DAVID A. )  
MARTIN, NANCY L. KNOWLTON, G.A. )  
FITCH, SALIM NATHOO, ARVIND )  
SODHANI, INTEL CORPORATION, APAX )  
PARTNERS, MORGAN STANLEY & CO. )  
INC., DEUTSCHE BANK AG, and RBC )  
DOMINION SECURITIES INC, )  
Defendants. )  
\_\_\_\_\_  
)

**STIPULATION EXTENDING TIME FOR  
BRIEFING ON PLAINTIFFS' MOTION TO  
REMAND AND DEFENDANTS' MOTION  
TO TRANSFER THIS ACTION OR IN THE  
ALTERNATIVE DISMISS OR STAY THIS  
ACTION AND STRIKE THE CLASS  
ALLEGATIONS**

1 Pursuant to Civil Local Rule 6-1(a), Defendants SMART Technologies Inc., David A.  
2 Martin, Nancy L. Knowlton, G.A. Fitch, Salim Nathoo, Arvind Sodhani, Intel Corporation, Apax  
3 Partners, Morgan Stanley & Co. LLC (f/k/a Morgan Stanley & Co. Inc.), Deutsche Bank AG, and  
4 RBC Dominion Securities Inc. (“Defendants”), and Plaintiffs Thomas E. Harper and Dianne Keene  
5 (“Plaintiffs”), by and through their respective counsel of record, hereby submit the following  
6 stipulation.

7 WHEREAS, on November 8, 2011, Defendants filed a Motion to Transfer this action or in  
8 the alternative Dismiss or Stay this action and Strike the Class Allegations (“Defendants’ Motion”);

9 WHEREAS, Plaintiffs intend to oppose Defendants’ Motion;

10 WHEREAS, on November 9, 2011, Plaintiffs filed a Motion to Remand this action  
11 (“Plaintiffs’ Motion”);

12 WHEREAS, Defendants intend to oppose Plaintiffs’ Motion;

13 WHEREAS, the Local Rules for the Northern District of California require that, unless  
14 otherwise ordered, Defendants’ Motion would be fully briefed by November 29, 2011 and that  
15 Plaintiffs’ Motion would be fully briefed by November 30, 2011;

16 WHEREAS, Plaintiffs and Defendants have conferred about establishing a more flexible  
17 schedule for completing briefing on their respective Motions;

18 THEREFORE, Plaintiffs and Defendants, by and through their respective counsel, hereby  
19 stipulate as follows:

- 20 1. Plaintiffs and Defendants shall file their respective opposition papers in response to  
21 the Motions by December 2, 2011.  
22 2. Plaintiffs and Defendants shall file their respective reply papers in support of the  
23 Motions by December 16, 2011.

24 The requested extension will not alter the date of any event or any deadline already fixed by  
25 any Court order.

1 DATED: November 18, 2011

SIDLEY AUSTIN LLP

2 By: /s/ Sara B. Brody  
3 Sara B. Brody

4 Attorneys for Defendants SMART  
5 TECHNOLOGIES INC., DAVID A. MARTIN,  
6 NANCY L. KNOWLTON, G.A. FITCH,  
7 SALIM NATHOO, ARVIND SODHANI, and  
8 APAX PARTNERS

9 DATED: November 18, 2011

GIBSON, DUNN & CRUTCHER LLP

10 By: /s/ Paul J. Collins  
11 Paul J. Collins

12 Attorneys for Defendant  
13 INTEL CORPORATION

14 DATED: November 18, 2011

MILBANK, TWEED, HADLEY  
& MCCLOY LLP

15 By: /s/ Jerry L. Marks  
16 Jerry L. Marks

17 Attorneys for Defendants MORGAN  
18 STANLEY & CO. INC., DEUTSCHE BANK  
19 SECURITIES, INC., and RBC DOMINION  
20 SECURITIES

21 DATED: November 18, 2011

SCOTT & SCOTT LLP

22 By: /s/ Anne L. Box  
23 Anne L. Box

24 Attorneys for Plaintiffs  
25 THOMAS E. HARPER and DIANNE KEENE

1                           **SIGNATURE ATTESTATION**

2                           Pursuant to General Order No. 45(X)(B), I hereby attest that I have on file written permission  
3 to sign this joint motion from all parties whose signatures are indicated by a conformed signature  
4 (/s/) within this e-filed document.

5                           \_\_\_\_\_  
6                           */s/ Sara B. Brody*

7                           **O R D E R**

8 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.  
9

10                          DATED: \_\_\_\_\_

11                          \_\_\_\_\_  
12                          The Honorable Saundra Brown Armstrong  
13                          United States District Court  
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